

1 Daniel B. Beck, Esq. SBN 63865
2 **BECK LAW, P.C.**
3 2681 Cleveland Avenue
4 Santa Rosa, CA 95403
5 Telephone: (707) 576-7175
6 Facsimile: (707) 576-1878
7 Email: danbeck@becklaw.net

8
9 Attorneys for Plaintiff, DON McCOMAS

10
11
12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA--SAN FRANCISCO DIVISION

14
15 **DON McCOMAS**, an individual,
16 vs.
17 **CITY OF ROHNERT PARK and DAVID**
18 **RODRIGUEZ,**
19 Defendants.

20 Case No.: 3:16-CV-02705-TEH

21 *Hon. Thelton E. Henderson*

22
23
24
25
26
27
28
Notice of Motion to Quash or Modify
City of Rohnert Park's Subpoena to
RPM Automotive

Date: October 24, 2016
Time: 10:00 a.m.
Courtroom: 12

To all parties and their attorneys of record, please take notice that on October 24, 2016 at 10:00 am in Courtroom 12 of the above court located at 450 Golden Gate Avenue, San Francisco, CA, 94102, Plaintiff Don McComas will move the court for an order quashing or modifying the subpoena by City of Rohnert Park to Mr. McComas' employer RPM Automotive

1 Services requesting Mr. McComas' entire personnel file.

2 This motion is made pursuant to FRCP 45(d)(3) on the grounds that the information
3 sought is not relevant to Mr. McComas' civil rights action against a police officer of the City of
4 Rohnert Park and the information sought is privileged and private based on Mr. McComas'
5 rights of personal privacy under the California Constitution, Article 1, section 1.
6

7 This motion is based on this Notice, the Memorandum of Points and Authority, the
8 Declaration of Daniel Beck and exhibits attached.
9

10 Dated September 16, 2016

BECK LAW, P.C.

11
12 By: /s/ Daniel B. Beck
13 Daniel B. Beck
14 Attorneys for Plaintiff
15 Don McComas
16
17
18
19
20
21
22
23
24
25
26
27
28